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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 10-0376 JSW
)	
Plaintiff,)	BRIEF STATEMENT OF THE CASE
)	
v.)	Pretrial Conference
)	Date: July 2, 2012
OSHAN COOK,)	Time: 2:00 p.m.
)	
Defendant.)	Trial Date: July 23, 2012

The parties propose that the Court read the following during voir dire and as part of the jury instructions. The same statement is set forth in full in the Proposed Final Pretrial Order as well as the Proposed Voir Dire:

In the Superseding Indictment, the defendant, Oshan Cook, is charged with one count of conspiracy to possess with the intent to distribute, and to distribute, 3,4-Methylenedioxymethamphetamine ("MDMA"), a controlled substance which is commonly referred to as ecstasy, two counts of possession with intent to distribute MDMA, and one count of possession with the intent to distribute LSD.

The government alleges that the Defendant knowingly conspired to and did possess MDMA with the intent to distribute it. The government alleges that the Defendant supplied the

MDMA that was seized during the course of a purchase of that MDMA by an undercover law enforcement officer on April 22, 2010. The government further alleges that, on April 22, 2010, the Defendant possessed with the intent to distribute approximately 415.8 grams of MDMA in a backpack that he was wearing. The government alleges that, on April 22, 2010, the Defendant possessed with the intent to distribute approximately 39.3 grams of LSD in a backpack that he was wearing. The Defendant denies all of these allegations.

DATED: June 18, 2012

Respectfully submitted,

MELINDA HAAG
United States Attorney

/s/
CHINHAYI COLEMAN CADET
PETER B. AXELROD
Assistant United States Attorneys

DATED: June 18, 2012

/s/
DORON WEINBERG
Attorney for Defendant Oshan Cook